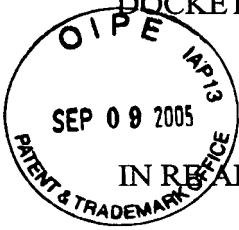


DOCKET NO: 216499US55CONT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

ALAN K. SMITH, ET AL. :

EXAMINER: BELYAVSKYI

SERIAL NO: 10/668,214 :

FILED: SEPTEMBER 24, 2003 :

GROUP ART UNIT: 1644

FOR: HUMAN LINEAGE COMMITTED :  
CELL COMPOSITION WITH ENHANCED  
PROLIFERATIVE POTENTIAL,  
BIOLOGICAL EFFECTOR FUNCTION,  
OR BOTH; METHODS FOR OBTAINING  
SAME; AND THEIR USES

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated May 9, 2005, Applicants elect with traverse, Group VI, Claims 53-55, 61-63, 73-75 and 81-83, and bone marrow stromal cells as the mesenchymal cells as a species for initial examination purposes only.

**Remarks/Arguments** begin on page 2 of this paper.